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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/800,461	03/07/2001	Lydia Breck	40655.0700	3738

7590 06/06/2005
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EXAMINER

WINTER, JOHN M

ART UNIT PAPER NUMBER

3621

DATE MAILED: 06/06/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/800,461

Applicant(s)

BRECK ET AL.

Examiner

John M Winter

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 16 March 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 18, 19, 22, 24, 25, 31-33, 36, 38-45, 51, 55 and 56 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 22, 24, 25, 31-33, 36, 38-45 and 56 is/are allowed.
- 6) ☒ Claim(s) 18, 19, 51 and 55 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

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DETAILED ACTION

Claims 18-19,22, 24,25,31-33,36,38-45,51,55 and 56 remain pending.

Response to Arguments

The Applicants arguments filed on March 16, 2005 have been fully considered.

As per claims 18,19,51 and 55,

The indicated allowability of claims 18,19,51 and 55 is withdrawn in view of the newly discovered reference to Flitcroft et al (US Patent Application Publication 2003/0028481)

The Wong et al. (US Patent 5,956,699) reference has been withdrawn.

Rejections based on the newly cited reference follows. The Examiner apologized for the delay in the discovery of this new art.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 18, 19, 51 and 55 is rejected under 35 U.S.C. 103(a) as being unpatentable over Walker (US Patent 6,163,771) in view of Franklin et al (US Patent 5,883,810) and further in view of Flitcroft et al. (US Patent Application Publication 2003/0028481).

As per claim 18,19,51 and 55,

Walker ('771) discloses a transaction, comprising the steps of:

identifying at least one primary account;(Column 6, lines 54-59)

generating a secondary transaction number that is configured to facilitate a transaction;(Column 6, lines 29-38 [.. generates a single use credit card number])

associating the secondary transaction number with said at least one primary account;(Column 6, lines 46-49 [..maps the single use credit card number onto a conventional credit card account])

issuing the secondary transaction number to a first party to facilitate a transaction with a second party,(Column 6, lines 30-38 [.. generates a single use credit card number])

Walker ('771) does not explicitly disclose the secondary transaction number is configured to be immediately usable for facilitating the transaction. Franklin et al. ('810) discloses the secondary transaction number is configured to be immediately usable for facilitating the transaction.(Figure 3) It would be obvious to one having ordinary skill in the art

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at the time the invention was made to combine the Walker et al. method with the Franklin et al. method in order to promote secure online commerce.

Walker ('771) does not explicitly disclose allowing via said host computer, the first party to select and define conditions-of-use parameters wherein the parameters place limits on how the secondary transaction number may be used; associating via said host computer the conditions-of-use parameters with secondary transaction number; storing via said host computer the condition of use parameters in one or more account database fields associated with the secondary transaction number. Flitcroft et al (481) discloses allowing via said host computer, the first party to select and define conditions-of-use parameters wherein the parameters place limits on how the secondary transaction number may be used;(Figure 7 [element 704]) associating via said host computer the conditions-of-use parameters with secondary transaction number;(Figure 15 [element 1502]) storing via said host computer the condition of use parameters in one or more account database fields associated with the secondary transaction number.(Figure 3) It would be obvious to one having ordinary skill in the art at the time the invention was made to combine the Walker et al. method with the Flitcroft et al (481) method in order to promote secure online commerce.

Claim 19,51 and 55 are in parallel with claim 18 and is rejected for at least the same reasons.

Allowable Subject Matter

Claims 22,24-25,31-33,36,38-45 and 56 are allowable.

Conclusion

Examiners note: Examiner has cited particular columns and line numbers in the references as applied to the claims above for the convenience of the applicant. Although the specified citations are representative of the teachings of the art and are applied to the specific limitations within the individual claim, other passages and figures may apply as well. It is respectfully requested from the applicant in preparing responses, to fully consider the references in entirety as potentially teaching all or part of the claimed invention, as well as the context of the passage as taught by the prior art or disclosed by the examiner.

Any inquiry of a general nature or relating to the status of this application or concerning this communication or earlier communications from the examiner should be directed to John Winter whose telephone number is (571) 272-6713. The Examiner can normally be reached on Monday-Friday, 9:30am-5:00pm. If attempts to reach the examiner by telephone are unsuccessful, the Examiner's supervisor, **James Trammell** can be reached at (571) 272-6712.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR

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system, see <http://portal.uspto.gov/external/portal/pair>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks

Washington, D.C. 20231

or faxed to:

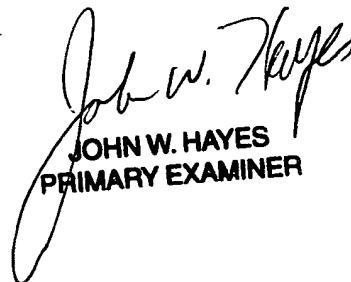
(703) 305-7687 [Official communications; including After Final communications labeled "Box AF"]

(703) 308-1396 [Informal/Draft communications, labeled "PROPOSED" or "DRAFT"]

Hand delivered responses should be brought to the Examiner in the Knox Building, 50 Dulany St. Alexandria, VA.

JMW

May 29, 2005


JOHN W. HAYES
PRIMARY EXAMINER